

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0079294; AI 43875; PER20090001** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Ascension Wastewater Treatment, Inc
Villa Galvez
17188 Airline Highway, Suite M-157
Prairieville, LA 70769

- II. **PREPARED BY:** Rachel Davis

- DATE PREPARED:** March 19, 2010

- III. **PERMIT ACTION:** reissue LPDES permit LA0079294, AI 43875; PER20090001

LPDES application received: November 3, 2009

EPA has not retained enforcement authority.

LPDES permit issued: August 1, 2005
LPDES permit expired: July 31, 2010

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of treated sanitary wastewater from a privately owned treatment works serving the Villa Galvez, Chateau Galvez, Old Hickory Woods, and Fairmont Subdivisions.

- B. The permit application does not indicate the receipt of industrial wastewater.

- C. The facility is located on the east side of Hwy 44, north of the intersection of Hwy 44 and Highway 931 in Prairieville, Ascension Parish.

- D. The treatment facility consists of a facultative lagoon with chlorine disinfection.

- E. Outfall 001

Discharge Location: Latitude 30° 18' 1" North
 Longitude 90° 55' 15" West

Description: treated sanitary wastewater

Expected Flow: (287 homes x 400 gallons/day/home) + (67 Two-Bedroom Apartments x 300 GPD) + (20 Employees x 20 GPD) = 0.1353 MGD

Calculations for gallons per day were based upon figures obtained from Chapter 15 of the State of Louisiana Sanitary Code, Department of Health and Hospitals, Office of Public Health.

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Type of Flow Measurement which the facility is currently using:
 Continuous Recorder

V. RECEIVING WATERS:

The discharge is into an unnamed ditch, thence into Henderson Bayou, thence into the Amite River in segment 040302 of the Lake Pontchartrain Basin. This segment is listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 040302 of the Lake Pontchartrain Basin are as indicated in the table below^{1/}:

Degree of Support of Each Use						
Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Not Supported	Full	Not Supported	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 040302 of the Lake Pontchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 040302 of the Lake Pontchartrain Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the gulf sturgeon and the Alabama heelsplitter mussel which are listed as threatened/endangered species. No consultation is needed, as instructed in the January 5, 2010 letter from Rieck (FWS) to Nolan (LDEQ), since the facility does not fall into one of the categories defined in Section II.2 of the letter. LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse affect upon the gulf sturgeon and the Alabama heelsplitter mussel since effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

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Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Ms. Rachel Davis
 Water Permits Division
 Department of Environmental Quality
 Office of Environmental Services
 P. O. Box 4313
 Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Subsegment 040302, Amite River-La. Hwy 37 to Amite River Diversion Canal, is listed on LDEQ's Final 2006 303(d) List as impaired for mercury and pathogen indicators. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment which are not directly attributed to the sanitary wastewater point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated.

Mercury

Based on the size and nature of the facility, the department believes there is little potential for the discharge to cause or contribute to the mercury impairment of this subsegment. Therefore, no limitations for mercury will be required of this facility.

Pathogen Indicators

To protect the receiving waterbody against high levels of pathogenic organisms, fecal coliform limitations have been established in the permit.

Final Effluent Limits:**OUTFALL 001**

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Daily Max	Basis
CBOD ₅	11.3	10 mg/l	15 mg/l	Limits are set in accordance with the Areawide Policy for Lake Pontchartrain Segment 0403

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Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Daily Max.	Basis
TSS	16.9	15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.
Ammonia-Nitrogen	5.6	5 mg/l	10 mg/l	Limits are set in accordance with the Areawide Policy for Lake Pontchartrain Segment 0403

Other Effluent Limitations:**1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5., the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Daily Maximum) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C)

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

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X. PREVIOUS PERMITS:

LPDES Permit No. LA0079294: Issued: August 1, 2005

Expired: July 31, 2010

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	Continuous	Recorder
CBOD ₅	10 mg/l	15 mg/l	2/month	Grab
TSS	15 mg/l	23 mg/l	2/month	Grab
Ammonia-Nitrogen	5 mg/l	10 mg/l	2/month	Grab
Fecal Coliform Colonies	200	400	2/month	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:**A) Inspections**

A review of the files indicates that no inspections have been done in the past five years. Therefore, the facility was referred to the surveillance division on March 19, 2010, for inspection.

B) Compliance and/or Administrative Orders

A review of the files indicates the following most recent enforcement actions administered against this facility:

LDEQ Issuance:

Docket #: WE-CN-09-0306

Date Issued: January 6, 2010

Findings of Fact:

1. The Respondent exceeded effluent limitations
2. The Respondent failed to measure flow
3. The Respondent inaccurately reported the effluent values
4. The Respondent failed to sample
5. The Respondent submitted incomplete DMRs

Order:

1. Take any and all steps necessary to meet and maintain compliance with the permit limitations
2. properly maintain facility
3. adhere to the schedule of activities associated with it sewer rehabilitation project

C) DMR Review

A review of the discharge monitoring reports for the period beginning May 2007 through May 2009 has revealed the following violations:

<u>Period of Excursion</u>	<u>Outfall</u>	<u>Parameter</u>	<u>Permit Limit</u>	<u>Reported Quantity</u>
May 2007	001	TSS	15 mg/l	36 mg/l
		TSS	23 mg/l	56.7 mg/l
June 2007	001	TSS	15 mg/l	25 mg/l
		TSS	23 mg/l	26 mg/l
September 2007	001	TSS	15 mg/l	25 mg/l
		TSS	23 mg/l	26.9 mg/l

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March 2008	001	TSS	15 mg/l	21.8 mg/l
		TSS	23 mg/l	25 mg/l
June 2008	001	CBOD	10 mg/l	21.9 mg/l
		CBOD	15 mg/l	39.5 mg/l
September 2008	001	TSS	15 mg/l	20.5 mg/l
		TSS	23 mg/l	39 mg/l
October 2008	001	CBOD	10 mg/l	22 mg/l
		CBOD	15 mg/l	27 mg/l
December 2008	001	CBOD	10 mg/l	20.5 mg/l
		CBOD	15 mg/l	26 mg/l
February 2009	001	CBOD	10 mg/l	22 mg/l
		CBOD	15 mg/l	34 mg/l

XII. ADDITIONAL INFORMATION:

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(C) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act or more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's, if the effluent standard, limitations, water quality studies or TMDL's so issued or approved

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity of 0.1353 MGD.

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Effluent loadings are calculated using the following example:

$$\text{CBOD: } 8.34 \text{ lb/gal} \times 0.1353 \text{ MGD} \times 10 \text{ mg/l} = 11.3 \text{ lb/day}$$

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for facilities of flows between 0.1 and 0.5 MGD.

Effluent CharacteristicsMonitoring Requirements

	<u>Measurement</u>	<u>Sample</u>
	<u>Frequency</u>	<u>Type</u>
Flow	Continuous	Recorder
CBOD ₅	2/month	Grab
Total Suspended Solids	2/month	Grab
Ammonia-Nitrogen	2/month	Grab
Fecal Coliform Bacteria	2/month	Grab
pH	2/month	Grab

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2009.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 2006.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2009.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2009.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Ascension Wastewater Treatment, Inc, Villa Galvez, December 4, 2009.